

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS**

TW Estates, LLC,

Plaintiff,

v.

Case NO: 12-mc-202-JWL

Ashley Knight,

Defendant

PDL Support

Garnishee

ORDER

On July 3, 2012, a Report and Recommendation (doc. 7) was issued by the Honorable Gerald L. Rushfelt, Magistrate Judge. The time for filing written objections to the Report and Recommendation has passed and to date no objections have been filed. After review of the Report and Recommendation, the undersigned finds that it should adopted and so ordered.

IT IS ORDERED BY THE COURT that the Report and Recommendation (doc. 7) is adopted without objection.

IT IS FURTHER ORDERED that Plaintiff's Motion for Order to Enforce Garnishment (doc. 5) is denied and this action is dismissed for lack of jurisdiction over its subject matter. The dismissal of this action is without prejudice to plaintiff filing its judgment in state court.

IT IS FURTHER ORDERED that the Court vacates the Order of Garnishment (doc. 3) because it was issued in absence of jurisdiction. The Clerk of the Court shall mail a copy of this

order to the Garnishee PDL Support, 4551 W. 107th Street, Suite 250, Overland Park, Kansas.

IT IS SO ORDERED.

Dated this 20th day of July, 2012, in Kansas City, Kansas.

s/ John W. Lungstrum
John W. Lungstrum
United States District Judge